

REMARKS

The present after final amendment is in response to the Office Action dated April 17, 2005 in which the Examiner rejects claims 1-57. In response Applicant cancels claims 1-57 and adds new claims 58-83. The canceled claims included six (6) independent claims. The new claims include four (4) independent claims 58, 69, 72, and 78.

A. Claim Rejections under 35 USC 103(a)

In paragraphs 2-5 of the Office Action, the prior pending claims are rejected under 35 USC 103 (a) as unpatentable over Wilk (US6768789) in view of Shimoda (US6397079) or in further view of Enns (US2002/0116499) or Makela (US2001/0028709). Shimoda is cited as a reference which discloses "a portable device [which] may be used to translate the sending user's messages into a language used by the other party, the translation being done in the context of a telephone call initiated by the sending user". (See the Office Action, page 3 citing Shimoda Col. 3, lines 3-24 and Fig 4). Shimoda utilizes a wireless phone docked to a computer system to accomplish language translation. In contrast, in the claimed inventions, Applicant transmits a message comprising a message code and a language code that is associated with a pre-defined message.

In response, Applicant cancels all claims 1-57 and adds new claims to more clearly express that the claimed methods, device, and system provides transmitting a message code and a language code that is associated with a selected pre-defined message. A server or the recipients device then utilizes the code to reconstruct the text message. Support for these new claims may be found, for example, in Figures 3 and 4 and the corresponding description paragraphs [0032] - [0034] of Applicants specification (US Publ. No. 2003/0078033).

Applicant respectfully submits that the cited references, including the Shimoda reference, fails to disclose all the limitations of the independent claims. Specifically, independent claim 58 comprises transmitting the associated message number code and the selected language code from the wireless communication device to the at least one recipient. Independent claim 69 comprises transmitting a transmit message comprising the message code and the preferred language code to at least one other wireless device of the plurality of wireless devices. Independent claim 72 comprises a processor for coding the selected predefined message into a coded message, the coded message comprising the message code and the transmission language code. Independent claim 78 comprises a processor for preparing a coded predefined message comprising an associated message code associated with the selected predefined message and an associated language code associated with the selected transmission language. Wilk and Shimoda do not teach or suggest the above elements of the independent claims, and the other cited references do not cure this deficiency. As such, Applicant respectfully requests that the Examiner issue a notice of allowance for the now pending claims 68-83.

B. Conclusion

Applicant asserts that the now pending claims 58-83 are patentable over the cited prior art, and respectfully requests that the Examiner issue a notice of allowance for the now pending claims.

The fee for an RCE and the fees for a one (1) month extension of time is filed herewith by EFS. If necessary, Applicant requests under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

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